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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92044104
Party	Plaintiff Lee's Tackle, Inc.
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Submission	Stipulated/Consent Motion to Extend
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Date	09/26/2008
Attachments	Motion to Extend Discovery Period 9 26 08.pdf (3 pages)(86141 bytes)

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_____)	
Lee's Tackle, Inc.)	
)	
a Florida corporation)	
)	
Petitioner,)	
)	
vs.)	Cancellation No. 92044104
)	Reg. No. 1671682
Taitex Enterprises)	
)	
a Texas Corporation)	
)	
Registrant.)	
_____)	

**PETITIONER'S AGREED MOTION TO EXTEND DISCOVERY PERIOD AND
TRIAL PERIOD**

COMES NOW Petitioner, Lee's Tackle, Inc. ("Petitioner") and, with the consent and agreement of counsel for Registrant, Taitex Enterprises Co. ("Registrant"), requests that the discovery and trial deadlines be extended for thirty (30) days to permit the parties to finalize the settlement of this matter.

Pursuant to the Board's Order of April 11, 2008, the following is a report on the progress of their settlement discussions.

The parties have continued to exchange drafts of proposed consent agreements and have resolved the following issues:

1. The goods for which Petitioner may use and register the "LEE'S and Design" mark, without opposition from Registrant.
2. The goods for which Registrant may use and register the

"LEE and Design" mark, without opposition from Petitioner.

3. Agreements by each party to refrain from using their respective marks on certain types of goods, namely the goods that will be the subject of 1 and 2 above.

4. Use of the parties' design of their respective logos.

The following issues remain to be resolved:

1. The nature and presentation of the parties' respective marks.

2. The use of the marks in domain names.

Due to the Hurricane Ike, Registrant's counsel, who is located in Houston, Texas, was unable to provide the latest draft of the settlement to undersigned until September 21, 2008 as there was a significant interruption in business of Registrant's counsel's office. Although undersigned counsel promptly sent the draft settlement agreement to Petitioner, additional time is still needed for Petitioner to review same and for the parties to work out final issues as indicated above. The parties anticipate bringing this matter to a full resolution within thirty days.

The requested extension is not for purposes of mere delay, but rather due to the fact that additional time is needed to bring this matter to a conclusion.

Respectfully submitted,

Dated: September 26, 2008

By: Meredith A. Frank/
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CERTIFICATE OF FILING

I HEREBY CERTIFY that the foregoing document was filed electronically via the ESTTA, at the United States Patent and Trademark Office, Trademark Trial and Appeal Board's ESTTA electronic filing system, this 26th day of September, 2008.

By: Meredith A. Frank
Meredith A. Frank

CERTIFICATE OF SERVICE

I CERTIFY that a true and correct copy of the foregoing was served by U.S. mail, postage prepaid, to the following, this 26th day of September, 2008:

Peter E. Mims, Esq.
VINSON & ELKINS, L.L.P.
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By: Meredith A. Frank
Meredith A. Frank